

Notice of Allowability

Application No.

10/633,106

Examiner

Marcus Charles

Applicant(s)

SKIDMORE ET AL.

Art Unit

3682

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed 8/25/05 and interview held 11/08/05.
2. ☒ The allowed claim(s) is/are 1-8, 10-17 and 19-27.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>11/08/05</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

This action is responsive to the amendment filed 8-25-2005 and interview held 11-08-2005. Claims 1-8, 10-17 and 19-27 allowed.

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Billy J. Knowles on 11-08-2005.

The application has been amended as follows:

The following amendment has been made to the claims to correct indefinite problems.

In claim 10, lines 15 and 16 "first" has been deleted prior to "adjustment plate" and "fork" respectively.

In claim 10, line 20, "a first" has been replaced by --an-- prior to "adjustment".

In claim 12, line 2, "equipmnt" has been replaced by --equipment-- subsequent to "original".

In claim 13, line 2, "plate are" has been replaced by --plate is--.

In claim 13, line 2, "materials" has been replaced by --a material--.

In claim 14, lines 2 and 3, "first" has been deleted prior to "adjustment".

In claim 16, line 2, "plates" has been replaced by--plate--.

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In claim 19, lines 4-5, "said" has been replaced by --a-- prior to "vehicle" and "driven wheel" respectively.

In claim 19, line 10, "said" should be --an-- prior to "axle member".

In claim 19, line 13, "said" should be --a-- prior to "forked frame".

In claim 19, line 51, "adjuster" has been replaced by --adjustment-- prior to "bore".

In claim 20, line 2, "comprising" has been replaced by --consisting of--.

In claim 26, line 10, --said-- has been inserted prior to "guide markings".

Claim 29 has been deleted.

Reasons for Allowance

2. The following is an examiner's statement of reasons for allowance: the prior art fails to anticipate or render obvious the combination of a tensioned adjusting device as set forth in claims 1 and 10, and a method for tensioning a flexible power transmission means as set forth in claim 19, and in particular, include a first adjustment plate dimensioned to slidably engaged in a recess of a fork of a forked frame member and to support an axle fastener to an axle member of a drive wheel, wherein the plate includes an extending member extending over the fork and an axle bore that accommodates the axle member so as to receive the fastener, an adjustment bore through the extending member so as to accommodate an adjustment stud to move the axle member in an adjustment slot within the guide recess to adjust the tension of a power transmission means.


Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marcus Charles whose telephone number is (571) 272-7101. The examiner can normally be reached on Monday-Thursday 7:30 am to 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ridley Richard can be reached on (571) 272-6917. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Marcus Charles
Primary Examiner
Art Unit 3682
November 08, 2005